

Message Text

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ACTION AF-18

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FM AMEMBASSY LAGOS

TO AMEMBASSY AMMAN

SECSTATE WASHDC 9491

INFO AMCONSUL KADUNA

C O N F I D E N T I A L LAGOS 3807

E. O. 11652: GDS

TAGS: CASC

SUBJECT: KANO ACCIDENT

REF: LAGOS 3764

1. SUMMARY: ATTORNEY GENERAL HAS NOW DECIDED DETAIN WATERMAN UNTIL END OF INQUIRY RATHER THAN ONLY THROUGH CROSS- EXAMINATION BY NORTHERN STATES. THIS SHOULD ADD ONLY A FEW DAYS TO WATERMAN' S STAY HERE AS HEARING EXPECTED END SOON AFTER HIS CROSS- EXAMINATION. AG REPEATED FORTHRIGHTLY TO ME AGAIN TODAY THAT FMG HAS NO INTENTION TO PROSECUTE WATERMAN AS SUCH ACTION WOULD NOT BE IN INTEREST OF COUNTRY. END SUMMARY.

2. TODAY' S ISSUES OF NIGERIA' S TWO LEADING DAILY NEWSPAPERS DAILY TIMES AND NEW NIGERIAN BOTH HEADLINED STORY THAT JUDGE BELLO HAS ORDERED WATERMAN TO REMAIN IN NIGERIA UNTIL END OF HEARING SO THAT HE WILL BE AVAILABLE FOR FURTHER CROSS- EXAMINATION. I HAD GATHERED YESTERDAY FROM MY TALK WITH AG GRAHAM- DOUGLAS THAT WHILE WATERMAN MIGHT HAVE TO STAY FOR FURTHER CROSS- EXAMINATION HE WOULD NOT BE DETAINED UNTIL END OF HEARINGS.

3. IN VIEW OF THIS DISCREPANCY I CALLED GRAHAM- DOUGLAS TO INQUIRE WHETHER THERE HAD BEEN ANY CHANGE IN FMG' S
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PLANS SINCE OUR TALK YESTERDAY. IN EFFECT, HIS RESPONSE

WAS TO URGE ME TO STOP WORRYING BECAUSE, " THE FMG WILL NOT PROSECUTE THE PILOT IN THIS MATTER." HE EXPLAINED THAT " PROSECUTION IS NOT IN THE INTEREST OF THE COUNTRY AND ONE OF MY JOBS IS TO PROTECT THE INTERESTS OF THIS COUNTRY." HE ADDED, HOWEVER, THAT IT WOULD BE NECESSARY FOR WATERMAN TO STAY HERE UNTIL INQUIRY ENDS AND NOT JUST FOR CROSS- EXAMINATION BY NORTHERN STATE REPRESENTATIVES. HE CON- CLUDED THAT WHEN JUDGE BELLO COMPLETES THE HEARING THERE WOULD BE NO REASON WHY WATERMAN COULD NOT THEN LEAVE THE COUNTRY PROMPTLY.

4. JUDGE BELLO INDICATED TO CONSULAR OFFICER TODAY THAT HE IS STILL PRESSING HARD TO COMPLETE HEARING SOON -- WITHIN THE NEXT TWO WEEKS. IT NOW LOOKS AS THOUGH WATERMAN WILL BE CROSS- EXAMINED BY NORTHERN STATES TOWARD THE END OF NEXT WEEK AND HEARING SHOULD WIND UP SHORTLY AFTERWARDS.

5. IN RESPONSE TO WATERMAN' E REQUEST THAT WE HAVE AN OFFICER IN KANO NEXT WEEK, PARTICULARLY DURING HIS CROSS- EXAMINATION, WE ARE SENDING AN OFFICER THERE FOR THAT PURPOSE. THIS ACTION IMPORTANT NOT ONLY FOR PROTECTION PURPOSES BUT ALSO TO SUSTAIN WATERMAN' S MORALE WHICH HAS REPORTEDLY SAGGED BADLY DURING PAST WEEK.

6. COMMENT: WE BELIEVE THAT GRAHAM- DOUGLAS' WORDS REFLECT THE VIEWS OF SENIOR FMG OFFICIALS CONCERNED WITH THIS MATTER AND THAT IT IS THEIR INTENTION TO CARRY OUT SCENARIO OUTLINED BY AG. THERE MAY BE FURTHER SLIPPAGE AND SOME UNEASY MOMENTS DURING COMING DAYS BUT WE CONTINUE TO BELIEVE THAT PROSPECTS ARE GOOD FOR SATISFACTORY ENDING TO THIS AFFAIR. POSSIBLY MAIN HAZARD IS CONTINUATION OF INFLAMMATORY REPORTING BY NEWSPAPERS WHICH CONCEIVABLY MIGHT IGNITE MOB- ACTION IN NORTH WHERE " EYE- FOR- EYE" ATTITUDE IS COMMON. BUT FMG AWARE THIS DANGER AND IT IS THEIR FIRM INTENTION TO PROTECT PARTICIPANTS IN THE INQUIRY WHICH IT HAS ORGANIZED AND IS CONDUCTING. END COMMENT.
REINHARDT

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